

AO 91 (Rev. 08/09) Criminal Complaint

FILED**UNITED STATES DISTRICT COURT**

for the

JUL 06 2015

Northern District of California

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

United States of America)

v.)

ADAM SHAFI)

Case No.)

3-15-70856

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 30, 2015 in the county of San Mateo in the
Northern District of California, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 2339B

Attempt to provide material support to a foreign terrorist organization.

UNRECORDED

This criminal complaint is based on these facts:

Please see attached affidavit

☒ Continued on the attached sheet.

Approved as to Form:

Candace Kelly, for
CANDACE KELLYChristopher T. Monika
Complainant's signatureChristopher T. Monika, FBI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date:

7-2-15Maria-Elena James
Judge's signatureCity and state: San Francisco, CaliforniaMARIA-ELENA JAMES, U.S. Magistrate Judge
Printed name and title

1-mjr

AFFIDAVIT IN SUPPORT OF APPLICATION FOR A COMPLAINT

I, Christopher T. Monika, having first been duly sworn, depose and state the following:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a complaint and arrest warrant for Adam Shafi (hereinafter "Adam") for attempting to provide material support to a foreign terrorist organization in violation of Title 18, United States Code, Section 2339B on or about June 30, 2015, in the Northern District of California.

2. I am a Special Agent with the Federal Bureau of Investigation (FBI), and a case agent for this investigation. I am an "investigative or law enforcement officer of the United States," within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18 of the United States Code.

3. I have been a Special Agent of the FBI since July 2005. My initial training consisted of an 18-week FBI New Agents' class during which I received instruction on the various aspects of federal investigations. Since reporting to the San Francisco Division in September 2005, I have worked international terrorism matters as a member of the South Bay Joint Terrorism Task Force (JTTF). I have received additional training on terrorist ideologies and the conduct of terrorism investigations. As an FBI agent, I have been the case agent for, or participated in, numerous investigations, including criminal and international counterterrorism investigations, including serving as the case agent for a complex terrorism investigation of a Homegrown Violent Extremist (HVE) that resulted in the successful prosecution of the subject for attempted use of a weapon of mass destruction (WMD). I am currently assigned to the San Francisco Division, San Jose Resident Agency. Prior to becoming a Special Agent, I was

civilian intelligence officer with the Department of Defense for three years where I deployed overseas to the Balkans, Iraq, and Afghanistan and worked international terrorism matters, among others.

4. As a federal agent, I am authorized to investigate violations of United States laws and to execute warrants issued under the authority of the United States.

5. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

6. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that Adam Shafi has attempted to provide material support to a foreign terrorist organization, specifically al-Nusra Front (also known as Jabhat al-Nusra, Jabhet al-Nusra, The Victory Front, and Al-Nusra Front for the people of the Levant), in violation of Title 18, United States Code, Section 2339B.

LEGAL BACKGROUND

7. Title 18, United States Code, Section 2339B makes it unlawful to “knowingly provide[] material support or resources to a foreign terrorist organization or attempt[] or conspire[] to do so.” In order to violate Section 2339B, a person “must have knowledge that the organization is a designated terrorist organization [as defined in subsection (g)(6)], that the organization has engaged or engages in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), or that the organization has engaged or engages in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989).”

8. As used in Section 2339B, the term “material support or resources” includes any “property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel (1 or more individuals who may be or include oneself), and transportation, except medicine or religious materials.” 18 U.S.C. §§ 2339A(b)(1) and 2339B(g)(4).

9. As used in Section 2339B, the term “terrorist organization” means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act. 18 U.S.C. § 2339B(g)(6).

“AL-NUSRA FRONT” -- A TERRORIST ORGANIZATION

10. On October 15, 2004, the United States Secretary of State designated al-Qa’ida in Iraq (“AQI”), then known as Jam’at al Tawhid wa’al-Jihad, as a Foreign Terrorist Organization (“FTO”) under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224.

11. On December 11, 2012, the Secretary of State amended the designation of AQI to include the following aliases: al-Nusrah Front (“ANF”), Jabhat al-Nusrah, Jabhet al-Nusra, The Victory Front, and Al-Nusrah Front for the People of the Levant.¹

12. On May 15, 2014, the Secretary of State, in response to the evolving nature of the relationships between ANF and AQI, amended the FTO designation of AQI to remove all aliases associated with al-Nusrah Front. Separately, the Secretary of State then designated al-Nusrah Front, also known as Jabhat al-Nusrah, also known as Jabhet al-Nusra, also known as The

¹ Throughout this affidavit, I refer to this FTO as ANF except when I am referencing conversations of Adam or others. In those cases, I use the acronym used by the speaker. In most cases that is “JN” for Jabhat al-Nusrah.

Victory Front, also known as Al-Nusrah Front for the People of the Levant, also known as Al-Nusrah Front in Lebanon, also known as Support Front for the People of the Levant, and also known as Jabaht al-Nusra li-Ahl al-Sham min Mujahedi al-Sham fi Sahat al-Jihad, as a Foreign Terrorist Organization (“FTO”) under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224. To date, ANF remains a designated FTO.²

13. Based on my training and experience, I know that: (a) Sunni extremists, who are not citizens or residents of Syria and Iraq and others, are traveling to Syria and Iraq to join groups such as ANF and ISIL and commonly enter Syria by crossing the border from Turkey; and (b) foreign fighters from Western countries are traveling to locations in Turkey, including Istanbul, and then traveling to towns closer to the border where they are brought into Syria to join ANF and ISIL.

PROBABLE CAUSE

14. There is probable cause that on June 30, 2015, Adam Shafi (hereinafter “Adam”) attempted to travel for the purpose of providing material support or resources to a foreign terrorist organization (FTO), namely by providing himself to assist ANF in Syria.

A. Adam’s Travel to Turkey in 2014

15. On or about August 17, 2014, S. S. (“Adam’s Father”) reported the disappearance of his son Adam to the U.S. Embassy in Cairo. Adam’s Father explained that his family,

²On May 15, 2014, the Secretary of State also amended the designation of al-Qa’ida in Iraq (“AQI”) as a Foreign Terrorist Organization (“FTO”) under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant (“ISIL”) as its primary name. The Secretary also added the following aliases to the ISIL listing: the Islamic State of Iraq and al-Sham (“ISIS”), the Islamic State of Iraq and Syria (“ISIS”), ad-Dawla al-Islamiyya fi al-‘Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. Although the group has never called itself “Al-Qaeda in Iraq (AQI),” this name has frequently been used to describe it through its history. To date, ISIL remains a designated FTO.

including his two sons, had traveled to Cairo, Egypt for a family trip on July 17, 2014.³ On August 16, 2014, Adam disappeared without telling anyone in the family where he was going. According to Adam's Father and another relative of Adam's ("Relative 1"), after he disappeared, Adam sent a text message to Relative 1 that said that he had gone to "protect Muslims."

16. Adam's Father explained that he was afraid that Adam had been recruited and that it was important to find him quickly to prevent him from doing harm to himself or others at the direction of those who recruited him. Adam's Father suspected that Adam may have traveled to Syria, Iraq, Gaza, or some other area in the region to defend Muslims. Adam's Father was disturbed because Adam was always "grieving about what is happening to Muslims." Adam's Father was also concerned that Adam may have been following extreme imams online and that some of his high school friends were of the same mindset.

17. On or about August 18, 2014, Adam's Father notified the U.S. Embassy that Adam had reunited with his family in Egypt and the family planned to return to the U.S on August 20, 2014.

18. On or about August 19, 2014, Customs and Border Patrol (CBP) agents stopped and interviewed an individual who I will refer to her as A.N., at San Francisco International Airport (SFO) upon his return from a trip to Istanbul, Turkey. CBP agents stopped A.N. because his stated purpose for traveling to Turkey was out of the norm. A.N. claimed he traveled to Istanbul, Turkey to visit mosques, but was only there for two days. A.N. admitted to meeting his friend Adam in Istanbul. A.N. was in possession of Adam's travel itinerary and his email address reflexatron@gmail.com.

19. On September 4, 2014, the FBI San Francisco interviewed Adam after he and his

³ According to Adam's actual flight itinerary, they departed San Francisco International Airport on July 14, 2014, and arrived in Cairo on July 15, 2014.

family returned to San Francisco, California. Adam stated that he left his family in Cairo and traveled to Istanbul, Turkey where met up with his friend A.N. Travel agency records confirmed that a one-way ticket in Adam's name was booked from Cairo to Istanbul with an arrival date of August 16, 2014. Adam explained that A.N., who lives in California, flew to Istanbul, arriving the same day as Adam. Adam stated that the purpose of their travel was to see the condition of refugees from Syria firsthand and to provide assistance to them. Adam claimed he did not tell his family because he knew they would not let him travel there. Adam said that he and A.N. stayed in Istanbul for one or two days and then returned to Cairo and California respectively.

20. On September 22, 2014, the FBI received a call on the public access line from an individual who said that he was a friend of Y.K. The caller said that Y.K. told him that his brother was going on, or had just returned from, a three day trip overseas to join "ISIS." An FBI agent in Los Angeles interviewed the caller on September 23, 2014, and he stated that Y.K. may also go by the last name that sounded like A.N.'s last name. Additional investigation on available databases, open sources and official records revealed that Y.K. is A.N.'s older brother.

21. On September 29, 2014, FBI San Francisco interviewed A.N. telephonically. A.N. stated that he and Adam had purchased one-way tickets to Turkey with no "blueprint" after that. They decided to return because Adam "wasn't feeling it." A.N. explained that he felt "unfulfilled" and wanted to go back "to finish what I started," possibly when his current school semester ends. When asked to clarify what he meant by "finish what I started," A.N. stated that he wanted to finish his vacation. However, when pressed, A.N. did not specify what he wanted to see or where he wanted to go. A.N. asked if the FBI interviews would restrict or burden his travel in the future.

22. On December 2, 2014, the Honorable Laurel Beeler authorized a search warrant

for A.N.'s Yahoo! e-mail account (CR 3 14 71493 LB). Responsive records provided by Yahoo! Inc. included the following:

- a. an email sent from Adam's email account (reflexatron@gmail.com) on July 13, 2014, the day before Adam left the U.S. for Cairo, that said "Salaam alaykum, this is Adam."
- b. an email sent from Adam's email account on July 24, 2014, forwarding an email sent by K.S. sent on July 19, 2014 with a copy of the itinerary for Adam's flight from Cairo to Istanbul on August 16, 2014.⁴

23. In addition to communicating with others, A.N. appeared to have used the e-mail account to make notes to himself by e-mailing himself short messages, often only a name or book title or short phrase. For example, A.N. sent himself an email on May 27, 2014, entitled "List of possible entry points" with "Darkush Bab al-hawa (Orontes River) separates Syria and turkey" in the content portion of the email. Based on my training and experience, I am aware that Bab al Hawa is one of the main crossing points between Turkey and Syria and has been used by foreign fighters traveling from Turkey to Syria to fight with ISIL, ANF, and other groups opposed to the Syrian regime of Bashar al-Assad.

24. Based on my training and experience, my conversations with other law enforcement agents and intelligence analysts, and my review of information related to other FBI investigations, I understand that individuals who have traveled or attempted to travel overseas to join Sunni extremist groups such as ANF, and ISIL, often show an interest in conservative Sunni Islam in one or more of its variant forms prior to traveling.

B. Training Activity By Adam

25. On December 6, 2014, an FBI surveillance team observed Adam leading his two younger brothers in exercises described as "paramilitary style" training that included calisthenics, running through the neighborhood and crawling through the mud at a park near their

⁴ The investigation, including statements from Adam's father and bank records, has revealed that Adam provided K.S. with money before Adam left for Cairo. K.S. then used his debit card to purchase Adam's ticket from Cairo to Istanbul while Adam was overseas.

home in Fremont, California. Adam appeared to take the training more seriously than his younger brothers did.

C. Additional Reporting Regarding The Purpose of Adam and A.N.'s Trip

26. On December 7, 2014, the individual in Los Angeles who called the public access line in October 2014 contacted the FBI San Francisco and provided additional information the individual had learned from Y.K. about A.N. and his August trip to Turkey. The caller stated that according to Y.K., A.N. and Adam went to Turkey to meet a person. Y.K. identified Adam by name and mentioned a third friend without mentioning a name. Y.K. told the caller that A.N. and Adam went to Turkey to join a group fighting in Syria. Y.K. did not name the group, but said it began with "I" and ended in "L." Y.K. said his brother, A.N., was into "Wahhabism" and described him as a "new type of Muslim" who was an "extremist" and not a "traditionalist." According to Y.K., A.N. believed that Muslims must have a Muslim government and leader and that no Jews or Christians should be allowed. Based on my training and experience, I believe that these beliefs are consistent with the radical ideology espoused by ISIL, ANF, AQ, al-Shabaab, Boko Haram, and other Sunni extremist groups.

D. Adam's Support of ANF and Intent to Travel in Support of ANF

27. I have listened to court-authorized intercepts of telephone conversations conducted in June 2015 during which Adam discussed his love of JN and his desire to travel to support JN. As set forth in the paragraphs below, which include the dates of the conversations as well as specific excerpts and summaries, Adam discussed the differing philosophies of JN and other Muslim organizations, such as ISIL or ISIS, which he and his friends refer to as "Daulat" or "Daesh."⁵ Adam explained that he is drawn to JN's nuanced approach to jihad, which, as he describes it, is less bloodthirsty than that of other groups and incorporates Islamic principles,

⁵ Based on my training and experience, I understand references to "Daulat" to refer to ISIL or ISIS, an FTO. "Daulat" is the transliteration of the Arabic word for "State" and frequently used as shorthand, along with "Daesh" the phonetic transliteration of the Arabic acronym for ISIL, for ISIL in the region and elsewhere.

such as justice and mercy. Adam criticized the other groups, in particular ISIL, for killing indiscriminately, as opposed to JN, which only fights groups that oppose JN or refuse to obey Allah's law.

28. On June 5, 2015, during a conversation between Adam and S.K., Adam talked about a two hour video he had watched of an interview with Jaulani, the amir (leader) of JN in Syria. Adam started by describing how JN was doing dawah (Islamic outreach) to religious communities in Syria. He was impressed that JN only fought these religious communities if they fought against JN. Adam praised the JN amir and the way he talked. Adam commented "I love that guy." S.K. replied with "You are crazy." Adam continued to praise JN and their activities saying they were the only group in Syria accepting the law of Allah. Adam described to S.K. how JN had been on good terms with the "Daulat" before the "Daulat" got "hella big." Adam echoed the criticism of the JN amir saying the "Daulat" took killing too easily. The "Daulat" sanctioned the blowing up of markets, which Adam described as "not the right way," and practiced takfir.⁶ Adam explained that he thought this was very wrong. He described how JN had tried to join hands with the "Daulat," but they had responded by killing and beheading the JN amir as well as crucifying and cutting off the hands of JN supporters. Adam was so impressed with JN that he commented "If the 'Daulat' kills them I want to die with them." In the context of this conversation, I believe that when he referred to "them" he means JN supporters. Adam described the JN amir as someone who was teaching and fixing the wrong thoughts about Islam. Adam explained that JN only fought these other groups if they fought JN. Adam then praised Allah and said it was so much clearer now. He then added that JN was not going to leave until the law of Allah was implemented and would not accept anything else.

⁶ Based on my training and experience, I understand "takfir" to mean the practice of declaring others, including fellow Muslims, as infidels, or kufar. The term dates to the early decades of Islam and is currently associated with AQ, ISIL, JN, and other Sunni extremist groups who advocate "takfir" in order to justify their attacks.

29. In response to this, S.K. stated, "I can't believe you are considering going with them, not a good reason, a horrible reason, if have so much dunya."⁷ Adam replied, "I do not know. I am content to die with them, whatever kills us" and later commented, in reference to JN, "I am completely fine dying with these guys." Adam also stated during this conversation that America is the enemy.

30. During the same conversation, Adam described to S.K. how they could live in JN controlled area near Idlib with the support of Allah. He described a JN controlled area of Syria that he saw in a video as appearing to be "peaceful except for the warplanes passing overhead to drop their bombs elsewhere."

31. The conversation continued with Adam praising JN and its amir, and telling S.K. about the atrocities, such as beheadings and crucifixions, committed upon JN supporters by "Daulat" as Adam attempted to explain why he supports JN. After S.K. expressed his shock at learning about these atrocities, Adam said "nothing going to stop me now." In the context of the conversation, I believe that Adam was referring to his commitment to travel to join JN. Adam also told S.K. that he had \$1,300 now and that they would talk about "it" when S.K. got back. I believe that when Adam said "it" in the context of this conversation, he was referring to collecting sufficient funds to travel to join JN.

32. Later in the conversation, in reponse to Adam's continued statements highlighting JN's superiority above other organizations, such as "Daulat," S.K. said, in what I believe to be a reference to Adam and A.N.'s April 2014 trip to Turkey, "Maybe, well maybe that's, that's why you guys came back the first time. Yeah, maybe Allah was protecting you from going with these people." I believe that when S.K. made this statement, he believed that Adam and A.N. had

⁷ Based on my training and experience, I understand "dunya" to mean the material world. In general, the word has a pejorative meaning for Muslims and is often contrasted with the heavenly rewards awaiting believers in the afterlife.

travelled to Turkey to join ISIL, as opposed to JN. Adam responded, "Yeah, yeah, that's probably what, but subhanallah⁸ that guy was going to take us to JN." S.K. responded, "And then you didn't want to go," to which Adam agreed.

33. Near the end of this approximately 79 minute conversation, Adam said, "The way I see it, about JN, we will be able to help a lot of people there, feel they are doing a good job."

34. On June 16, 2015, S.K. spoke to Adam on the phone and asked if he was still miserable. Adam replied, "I don't know... I don't have any blood in my books. I just hope Allah doesn't take my soul until I have at least, like, a couple gallons of blood that I've spilled for him. At least, something like that... I just really hope so. How can I meet Allah when my face has no scars on it... I'm just so scared of that. Know what I mean?"

35. On June 18, 2015 S.K. and Adam had a conversation about an individual with whom S.K. had spoken, whose cousins died fighting in Syria. S.K. said that his immediate reaction was to congratulate the individual, because he was so happy. Adam replied, "I'm jealous!" . . . "So freakin' jealous!" S.K. explained that he believed that one of the cousins was 25 years old and was killed by a bomb while he was on night patrol. S.K. said that he did not know whether the United States or Bashar dropped the bomb that killed him and made him "shaheed." Based on my training and experience, I know that "shaheed" means martyr.

36. On June 23, 2015, during a telephone conversation, S.K. asked Adam how much money he will have by September. Adam stated that he thought he would have around 3 [in the context of their ongoing discussions regarding overseas travel, I believe that this was a reference to \$3,000], but he could probably get more if he wanted. S.K. mentioned that Adam 's trip would cost about 600 or 700. S.K. also discussed the timing of when he might "go" and explained that he would also have to save money for his ticket, a dowry, rings, a hotel stay, and some spending

⁸ Based on my training and experience, I understand "subhanallah" to mean praise to Allah.

money.

37. During the same conversation, Adam and S.K. discussed going to Burma because of their understanding that Muslims are being mistreated there.⁹ In the context of that discussion, Adam said "The only thing about going to Burma is I really wanted to kill some frickin' people that were supporting America or American soldiers or something." S.K. responded, "Bro, they're chopping up Muslims." Adam acknowledged that and S.K. continued, "If that doesn't boil your heart then what else will?"

38. On June 26, 2015, S.K. called Adam, who was with A.N. in Adam's car. During the conversation, they discussed how much money they had saved in order "to go." I believe they were discussing their trip overseas to join JN. At one point, Adam questioned when S.K. and A.N. would have enough money to go, and later said that he has enough money for himself, and "[he] do[es]n't really care." I now believe this was a reference to Adam's commitment to travel even before A.N. and S.K. gathered sufficient funds to travel with him.

E. Adam's Attempt to Travel From San Francisco Airport to Istanbul

39. On June 30, 2015, at approximately 4:00 pm local time, U.S. Customs and Border Protection (CBP) Task Force Officer (TFO) Randall Hayes notified me that Adam had booked a one-way ticket on Turkish Airways (TA) Flight 80 to Istanbul, Turkey, scheduled to depart San Francisco International Airport (SFO) at 6:10 pm local time.

40. On June 30, 2015, at approximately 5:41 pm local time, FBI Special Agent Glenn Bartolomei and Homeland Security Investigations (HSI) Task Force Officer (TFO) Mark Mauro observed Adam sitting in the waiting area next to Gate 97 in SFO's Terminal G (International

⁹ Based on my research, I know that around 2014, AQ leadership and other Islamic extremists started highlighting the mistreatment and plight of Muslims in Burma and calling on mujahidin (those engaged in violent jihad) from around the world to defend them. At approximately the same time, AQ leadership announced the creation of an affiliate in the Indian sub-continent, to include Burma.

Flights). The departure of TA Flight 80 had been pushed back to 6:40 pm. Adam had a carry-on bag and a small backpack. At approximately 5:50 pm, the TFO Mauro interviewed a TA Flight 80 passenger (“the Passenger”) who had approached gate personnel to notify them that a fellow passenger, who she later identified as Adam, was making her nervous. The Passenger and The Passenger’s family had noticed Adam because he was acting “suspicious” and they did not feel comfortable boarding a flight with him. As the Passenger described it, Adam appeared nervous and his leg was shaking. He was reading a book and was alternately mumbling and speaking loudly to himself as he read. Adam also removed and wiped his glasses frequently as he sat in the boarding area.

41. At approximately 6:30 pm local time, SA Bartolomei, TFO Mauro and a uniformed CBP officer approached Adam while he was standing in line to board TA Flight 80. SA Bartolomei told Adam they needed to speak with him and then they escorted Adam to the interview room of the SFO Resident Agency (RA). SA Bartolomei and TFO Mauro identified themselves while escorting Adam from the boarding area and Adam agreed to speak with them voluntarily.

42. At approximately 6:45 pm local time, SA Bartolomei and TFO Mauro conducted a voluntary interview of Adam at the SFO RA. Adam told them he no longer wanted to live in the United States. Adam was discouraged with the politics and direction of the United States, citing the recent Supreme Court decision allowing gay marriage, and wanted to be in a country of people of similar mindset and religion as himself. Adam is Muslim and currently fasting for Ramadan. If things did not work out in Turkey, Adam planned on traveling to Egypt where he had family. He did not tell his parents or anyone else about his plans because he did not want them to interfere with his travel. Adam planned on notifying them once he reached Turkey.

Adam purchased the one-way ticket on TA Flight 80 online at the website "Fare Compare" for \$1,275.00. Adam mentioned that he had traveled to Turkey in August 2014. TFO Mauro noted that Adam had a Turkish entry visa in his U.S. Passport.

43. At approximately 7:30 pm, I arrived at the SFO RA and conducted a second voluntary interview of Adam. I advised Adam that he was free to go at any time before starting the interview. I also admonished Adam that it was a Federal crime to lie to a Federal Law Enforcement official. Adam acknowledged that he understood he was free to go at any time and the potential consequences for lying. During the interview Adam reiterated the information he had given SA Bartolomei and TFO Mauro previously and provided additional details. Adam said he was a web developer and planned on finding work in Turkey. With respect to his prior travel to Turkey, Adam said he traveled there with A.N. and returned after two days and one night in Istanbul. Adam claimed someone stole his laptop and other possessions while he was sleeping at the airport during his August 2014 trip to Turkey. Adam said he had approximately \$2,000 in cash and a debit card. His parents knew in general about his plans to move overseas, but wanted him to establish something there before moving. Adam reported that he was becoming impatient and decided to travel regardless. According to Adam, his parents thought he had gone to San Francisco State University for an interview today. I asked Adam directly if he was traveling to Turkey so he could cross into Syria and/or join ISIL, JN or another FTO. Adam denied that he was traveling to Turkey so he could cross into Syria and/or join one of the aforementioned FTOs. Adam mentioned the large number of Syrian refugees in Turkey. Adam said he would try and help them if he could. Adam claimed some people helped by building a house, while others picked up a gun. I asked Adam if he was traveling to Turkey so he could "pick up a gun" and become a fighter. Adam said no.

44. At approximately 8:00 pm local time, Adam gave me consent to search his carry-on bag and backpack. Packed in the carry-on bag were the following items – one pair of lightweight convertible travel pants, a light-weight jacket, a shamogh scarf, a zip-up sweater, underwear, trail running shoes, a water bag for a camelback pack, two packages of dried dates, one can of peanut butter, one pair of glasses in a case, two prayer caps and personal hygiene items (including safety razor and miswaks¹⁰). The backpack was a small Osprey camelback pack with tag still attached. Adam had removed the pack's water bag for the flight. The contents of the backpack included the following items – a hard-back Quran, a small paper-back book of Islamic prayers, a hard-back book on Islam, an Apple laptop computer, charging cables and plugs, a plastic water bottle, a wallet and other personal effects. Adam was carrying a cell phone with the number 510-366-2789. Adam gave me a printout of his itinerary and Turkish Airlines ticket stub and told me that I could keep them.

45. At approximately 8:15 pm local time, SA Bartolomei, TFO Mauro and I escorted Adam to the SFO Bay Area Rapid Transit (BART) station where he boarded a train bound for Fremont where he said he had left his car.

46. At approximately 8:42 p.m., Adam called an individual who I believe is a relative (hereafter "Relative 2") while on a BART train en route to Fremont and discussed his experience at SFO. Adam expressed his suspicion that his father had contacted the FBI in an attempt to stop Adam from travelling. Relative 2 explained that he believed that Adam's parents had contacted some friends in Egypt and asked them to travel to Istanbul in advance of Adam's arrival, so they could stop Adam from leaving the airport.

47. During the same conversation, Adam told Relative 2 about his conversation with the FBI. He said that the agent asked him whether he was going to go "join one of those groups

¹⁰ "Miswak" is the name given to twigs or small pieces of wood that are used to brush their teeth.

in Syria” to which Adam thought, “I was like what the hell, do you think I was going to say yes? What kind of idiot would say yes?” Relative 2, laughed, and said, “Abraham Lincoln,” to which Adam responded, laughing, “What did he say? A man who could never lie? Yes, that is exactly why I was going.” Adam went on to say, “Is that what they think I was going to do? What the hell. Doesn’t make any sense.” Relative 2 responded, “We’re inspired by your Abe Lincoln-ness, we’re going to let you go. It’s like when, you know, a police officer, when you’re doing something extremely illegal and you’re running away from the cops, and he’s like look, we’re not going to arrest you, we just want to talk, pull over...yeah fricken right man. The moment you pull that car over they’re gonna shoot you in the nuts and take you to jail.” Adam told Relative 2 at the end of the conversation, "Dude, honestly, you want to know, you want to know how I feel bro? I would honestly, if this is the case, I'd rather just be in jail bro. What the hell am I gonna do out here? Be like everyone else and betray [UI]¹¹? I can't go anywhere else, I can't fight or nothing"

48. At approximately 9:05 p.m., Adam called A.N., who told Adam that Adam’s dad had called A.N. and said that he thought Adam had left the country. Adam told A.N. that he almost did leave the country, but the FBI came to him and told him that “someone in the crowd thinks [he] is a terrorist.” Adam explained that the FBI asked him if he was going to go join a terrorist group, to which Adam commented “. . . Friggen hell what do you think I’m going to say, yes?” A.N. responded to this statement with laughter. Adam continued, “Even if I was going to do that, what the hell?” A.N. asked if Adam could say over the phone where he was going, to which Adam responded, “You know where I was going to go . . . I was going to Turkey.” When A.N. commented on Adam’s decision to go “without telling us,” Adam responded that he knew that “you guys don’t want to go, so . . .”

¹¹ “UI” indicates that this part of the conversation was unintelligible.

CONCLUSION

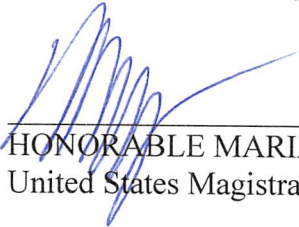
49. Based on the foregoing, there is probable cause that at the address, Adam Shafi attempted to provide material support, specifically, himself as personnel, to a foreign terrorist organization, specifically, al-Nusra Front (also known as Jabhat al-Nusrah, Jabhet al-Nusra, The Victory Front, Al-Nusrah Front for the People of the Levant, Al-Nusrah Front in Lebanon, Support Front for the People of the Levant, and Jabaht al-Nusra li-Ahl al-Sham min Mujahedi al-Sham fi Sahat al-Jihad), in violation of Title 18, United States Code, Section 2339B. Based on the foregoing, I request the Court to issue the attached Complaint and Arrest Warrant.

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.



CHRISTOPHER MONIKA
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before
me this 2 day of July, 2015.



HONORABLE MARIA-ELENA JAMES
United States Magistrate Judge